

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

RAYMOND T. BARRERAS, JR.,

Plaintiff,

v.

Case No. 6:20-cv-1189-RBD-EJK

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

ORDER

Before the Court are:

1. Plaintiff's Motion for Attorney's Fees Pursuant to the Equal Access to Justice Act, 28 U.S.C.A. § 2412 (Doc. 19 ("Motion for Fees")); and
2. U.S. Magistrate Judge Embry J. Kidd's Report and Recommendation (Doc. 20 ("R&R")) on Plaintiff's Motion for Fees.

The R&R is due to be adopted and the Motion for Fees granted in part.

In this Social Security remand, Plaintiff moved for fees under the Equal Access to Justice Act and the Commissioner did not oppose. (Doc. 19; Doc. 19-19.) On referral, Judge Kidd recommended the Court grant in part Plaintiff's Motion for Fees.¹ (Doc. 20, p. 8.) The parties did not object to the R&R

¹ Judge Kidd slightly adjusted the applicable hourly rate but otherwise found the fees

and the time for doing so has passed, so the Court examines the R&R for clear error only. *See Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). Finding none, the R&R is due to be adopted in its entirety.

Accordingly, it is **ORDERED AND ADJUDGED**:

1. The R&R (Doc. 20) is **ADOPTED, CONFIRMED**, and made a part of this Order in its entirety.
2. Plaintiff's Motion for Fees (Doc. 19) is **GRANTED IN PART AND DENIED IN PART**:

- a. The Motion is **DENIED** only insofar as Judge Kidd adjusted the appropriate hourly rate. (Doc. 20, p. 6 n.3.)

- b. In all other respects, the Motion is **GRANTED**.

3. Plaintiff is **AWARDED** \$4,707.12 in attorney's fees, \$400.00 in costs, and \$17.25 in expenses, for a total award of \$5,124.37.

DONE AND ORDERED in Chambers in Orlando, Florida, on September 2, 2021.




ROY B. DALTON JR.
United States District Judge

reasonable. (See Doc. 20, p. 6 n.3.)